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C O N F I D E N T I A L SECTION 01 OF 02 ISTANBUL 000032

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SUBJECT: TURKEY: ONE YEAR ANNIVERSARY OF HRANT DINK  
ASSASSINATION MARKED BY MISSED OPPORTUNITIES

REF: A. ANKARA 0059

1B. 07 ISTANBUL 0061

1C. 07 ANKARA 1875

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Classified By: Consul General Sharon A. Wiener for reasons 1.4 (b) and (d)

11. (C) Summary and comment. As Turkey prepares to recognize the one year anniversary of the Hrant Dink assassination on January 19, we can't help but look back at the causes to which Dink dedicated his life - including human rights and Turkish-Armenian reconciliation - as well as to the investigation and trial of his assassins. Dink family attorney Fethiye Cetin and Etyen Mahcupyan, Dink's successor as editor-in-chief of Agos, the newspaper Dink founded, discussed these issues with us recently, while reflecting on Dink's legacy. The past year is marked by missed opportunities. Nevertheless, there are signs that the second anniversary may see more progress. The government is expected to make significant changes to Article 301 in the coming weeks and the media, if not the government, have broken with tradition and trained a spotlight on the inconsistencies in the murder investigation and the suspicious ties of security officials to the prime suspects. End summary and comment.

12. (SBU) Turks and observers throughout the world reacted to the January 19, 2007 assassination of prominent Turkish-Armenian human rights advocate Hrant Dink with shock and horror. Police arrested 17 year-old Ogun Samast the following day and charged him with shooting Dink three times in the head and neck outside of his Armenian language Agos weekly newspaper office building. Tens of thousands of mourners from all walks of life and ethnicities gathered for January 23, 2007 memorial services on a two-mile stretch of a wide boulevard in front of Agos. Noticeably absent from the funeral services were Prime Minister Erdogan and then-Foreign Minister (now President) Gul. Prominent editorialists led national self reflection, questioning who was to blame in planning and allowing the murder. It was well known that Dink had received threats ever since his October 2005 Turkish Penal Code (TPC) Article 301 conviction for "insulting Turkishness" by referring to "genocide" in an article that, ironically, had encouraged the Armenian Diaspora to put aside its grievances.

13. (SBU) We met his successor as editor-in-chief of Agos Etyen Mahcupyan on January 9 and Dink family attorney Fethiye Cetin on January 11 to discuss commemoration plans and the status of the murder investigation and trial. A number of events honoring Dink are scheduled in Istanbul on January 19,

beginning with a ceremony at Dink's grave at 1:00 p.m. The "Friends of Hrant" association is organizing a gathering in front of the Agos building at 3:00 p.m., the site and time of Dink's death. Mahcupyan told us neither Agos nor the Dink family is involved in planning, though Dink's widow Rakel is considering giving remarks as she did during the public memorial service in front of Agos a year ago. The same group is organizing an evening memorial event at Istanbul's Lutfi Kirdar convention center, including musical and film tributes to Dink. Istanbul's elite Bogazici University announced it plans to organize an annual conference in Dink's memory to promote freedom of expression, beginning with an inaugural event on January 18.

¶4. (C) Attorney Fethiye Cetin represents the Dink family in the trial of the (current) 19 suspects accused of orchestrating and carrying out Dink's murder, including 17-year old gunman Ogun Samast. She expects the February 11 session - the third in a series which began on July 2, 2007 - to include the interrogations of suspected conspirators Yasin Hayal and Erhan Tuncel. Cetin also expects a judge to request further analysis into the exact age of Samast after recent reports of the outcome of a bone marrow test estimated Samast to be 19 years old, a result that would allow him to be tried as an adult and open the courtroom to observers. Samast reportedly admitted to the killing during an October 1, 2007 session but claimed he had pulled the trigger under duress, accusing Hayal of coercion.

¶5. (C) The murder investigation has been widely scrutinized as security officials, a retired general and leaders of the extreme nationalist Great Union Party (BBP) have been implicated in the assassination or reportedly linked to the prime suspects. Cetin remains skeptical that the judicial process will be fair, citing as an example a recent court decision upholding the Trabzon governor's directive not to authorize the investigation of police officers who failed to

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act on or share information about threats on Dink's life. She excoriated the lack of transparency in the investigation, pointing out that the senior level security officials who should themselves be investigated have instead been entrusted with collecting and submitting related evidence. Cetin also lamented that, in her view, basic legal principles have not been followed in the trial. The suspects have not been interviewed in quick succession, putting into question their recollection of events, and cramped courtroom conditions make it difficult for attorneys to take notes.

¶6. (SBU) Many believe Dink became a target following his October 2005 Article 301 conviction, as evidenced by the "301 Kills" signs brandished by protesters at the Agos memorial service. International pressure mounted in the weeks following the assassination as European Union officials and the USG encouraged the GOT to take advantage of widespread, national self-reflection to abolish or significantly liberalize the controversial TPC article. Election-year risk calculations prevailed, and the GOT failed to act. Security and terrorism issues then took precedence in the months following the parliamentary and presidential elections. It wasn't until January 2008 that the government publicly made changing Article 301 a priority. In the meantime, Dink's son Arat and his Agos colleague Sergis Seropyan were convicted under Article 301 on October 11, 2007 for insulting Turkishness by re-printing a Reuters interview during which Hrant Dink referred to "genocide." Parliament is expected to take up a proposal announced by Justice Minister Mehmet Ali Sahin that would include four key modifications to the Article (ref A) in the coming weeks.

¶7. (C) Hrant Dink was a leading advocate for Turkish-Armenian reconciliation. Though he personally believed the massacre of Armenians in 1915 constituted "genocide," he opposed foreign legislation on the issue. The USG encouraged the GOT to use Dink's tragic murder as an

opportunity to take action on Turkey's joint historical commission proposal (ref B) and work towards re-opening the border and establishing diplomatic relations with Armenia. In a significant overture, Armenian Deputy Foreign Minister Arman Kirakossian traveled to Istanbul for the funeral and met with his Turkish counterpart after speaking by phone with then-FM Gul. Election politics (in Turkey) and H.R. 106 (in the US) subsequently intervened.

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¶ 8. (C) Agos, the paper Dink founded, nurtured and directed, in many ways represents the evolution Turkish democracy has undergone over the past year, as Erdogan's government defied the threat of a military coup and Turks overwhelmingly re-elected a party opposed by the traditional establishment (ref C). Mahcupyan told us that with a circulation of 5000 Agos is "healthy" and that staff morale is "OK." He explained the death of Hrant Dink had caused mixed transformations among his experienced staff members. The older generation became more cautious and the younger more courageous because it is "fed up." The sign which formerly identified Agos outside its building is now noticeably absent and there is a new blast door that protects the office spaces. Nevertheless, Mahcupyan described a "new energy" evident at Agos that gives his staff strength in knowing it is not alone.

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